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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

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SHAMIKA LOCKLIN,

Plaintiff,

vs.

MANDALAY BAY, LLC, a domestic  
limited liability company, d/b/a  
MANDALAY BAY RESORT AND  
CASINO; DOES I-X; and ROE,

Defendants.

Case No.: 2:21-cv-0230-JAD-BNW

**STIPULATION AND ORDER TO STAY  
DISCOVERY PENDING OUTCOME OF  
SETTLEMENT NEGOTIATIONS**

**(SECOND REQUEST)**

Pursuant to LR IA 6-1, LR IA 6-2, and LR 7-1, the parties by and through their undersigned counsel, hereby stipulate and agree, and respectfully request that the Court stay all discovery in this action, pending the outcome of settlement negotiations. This is the parties' second request to stay discovery and is being made in good faith and not for the purposes of delay.

**I. RELEVANT BACKGROUND**

1. This case was filed in the Eighth Judicial District Court on November 10, 2020. Defendant was served on January 22, 2021. Plaintiff brought claims of Discrimination under the

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Americans With Disabilities Act, and Interference in Violation of the Americans With Disabilities Act, and Discrimination Based on Disability in Violation of Nevada State Law. Attachment A to ECF No. 1.

2. Defendant removed this case to this Court on February 11, 2021. ECF No. 1.

3. Both parties served Initial Disclosures in March 2021 and both parties have since supplemented those disclosures.

4. Plaintiff filed a First Amended Complaint on March 27, 2021.

5. Defendant filed a Motion to Dismiss on April 9, 2021. ECF No. 26. The Motion was fully briefed and submitted to the Court on May 13, 2021. ECF Nos. 31<sup>1</sup>, 32.

6. The parties attended an Early Neutral Evaluation with Magistrate Judge Ferenbach on April 21, 2021 but were unable to resolve the matter. ECF No. 28.

7. Plaintiff served her First Sets of Interrogatories and Requests for Production of Documents on May 26, 2021, which Defendant answered. Defendant served its First Sets of Interrogatories and Requests for Production of Documents on July 8, 2021, which Plaintiff Answered.

8. District Court Judge Dorsey heard oral argument on Defendant's Motion to Dismiss on July 29, 2021 and denied the same. ECF No. 34.

9. Defendant filed its Answer to the First Amended Complaint on August 5, 2021. ECF No. 36.

10. On August 4, 2021, the parties filed a stipulation to extend the discovery period to December 21, 2021, which the Court granted on August 6, 2021. ECF No. 37.

11. Plaintiff currently has a workers' compensation matter with Defendant. On August 20, 2021 and September 20, 2021, the parties in this litigation discussed the possibility of resolving both

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<sup>1</sup> Plaintiff withdrew her claims of Interference in Violation of the Americans With Disabilities Act and under Nevada state law.

1 the open workers' compensation matter and this litigation on a global basis. The undersigned counsel  
2 believes this is a possibility. The undersigned counsel reached out to the respective attorneys  
3 representing Defendant and Plaintiff in the workers' compensation matter to further discuss. Each  
4 workers' compensation attorney believes a global resolution is also possible.  
5

6 12. On September 22, 2021, the parties in this litigation requested a stay so a global  
7 resolution could be discussed and further requested that at the end of the 60-day that the parties be  
8 allowed to 1) file a revised discovery plan; 2) file a status report with the Court on the progress of  
9 settlement negotiations; or, 3) file a Stipulation of Dismissal With Prejudice if the matter has been  
10 resolved and the terms of any agreement fulfilled. ECF No. 38. The Court granted the parties request  
11 on September 23, 2021. ECF No. 39.  
12

13 13. The workers' compensation attorneys have had discussions, exchanged documents, and  
14 the parties in both matters now have the necessary information to fully discuss a global resolution. A  
15 proposed global resolution was made to Defendant on November 22, 2021.

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## II. REASON FOR REQUESTED RELIEF

To conserve resources of the parties and this Court, the parties in this litigation respectfully request that discovery be stayed for a period of 60-days until Friday, January 21, 2022. It is further requested that at the conclusion of the 60-day stay that the parties will either: 1) file a revised discovery plan; 2) file a status report with the Court on the progress of settlement negotiations; or, 3) file a Stipulation of Dismissal With Prejudice if the matter has been resolved and the terms of any agreement fulfilled.

DATED this 22nd day of November 2021. DATED this 22nd day of November 2021.

KEMP & KEMP

MGM RESORTS INTERNATIONAL

/s/ Victoria L. Neal

/s/ Kelly Kichline

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### Order

IT IS ORDERED that ECF No. 40 is GRANTED. IT IS FURTHER ORDERED that by January 21, 2022, the parties must file a revised discovery plan and scheduling order, a status report regarding the status of their settlement negotiations, or a stipulation to dismiss.

IT IS SO ORDERED

DATED: 1:20 pm, November 23, 2021



BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE